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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,881	10/31/2001	Shell S. Simpson	10008211-1	7278

7590 07/13/2005  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

HUNTSINGER, PETER K

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/998,881

Applicant(s)

SIMPSON ET AL.

Examiner

Peter K. Huntsinger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/31/01</u> . | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5-9, 11-15, and 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Wood et al. U.S. Patent 6,453,127.

Referring to claims 1, 7, and 13, Wood et al. disclose in a web based imaging environment, a method of implementing collated printing depending on the collating capabilities of a printer represented by a destination service, said method comprising the steps of: determining by said destination service the collating capabilities of said printer. The user is able to make a determination whether said printer is capable of collating a document or not and select yes to collating or no to collating as shown in Fig.

4. Woods et al. further disclose accessing said destination service from a user's browser (col. 2-3, lines 65-67, 1-8); downloading content from said destination service into said user's browser (col. 4, lines 53-57); retrieving said user's image data (col. 3, lines 8-16); and if said printer supports internal collating, then implementing processing of said user's retrieved image data using said printer in accordance with selected

production options (col. 3, lines 54-60); otherwise if said printer does not support internal collating, then printing a first copy of said user's retrieved image data using said printer, then retrieving a second copy of said user's image data and printing said second copy using said printer, and iteratively retrieving and printing successive copies of said user's image data. The user is able to create a new print job for each desired consecutive copy, which would send the user's image data each print job, should they determine that said printer is not capable of collating.

Referring to claims 2, 8, and 14, Woods et al. disclose displaying status dynamically during processing of said user's image data, said status display including an indication of the current copy being processed (Fig. 4, col. 6, lines 55-58).

Referring to claims 3, 9, and 15, Woods et al. disclose wherein said destination service represents a plurality of printers (printers 15', 15" of Fig. 1, col. 4, lines 19-20)

Referring to claims 5 and 12, Woods et al. disclose said copies of said user's image data are retrieved from said user's identity (col. 6-7, lines 66-67, 1-20). The access code of Woods et al. corresponds to a library that contains user stored documents. The library is restricted to those who provide the specific access code.

Referring to claims 6, 11, and 17, Woods et al. disclose displaying at user's browser production options for processing said user's image data using said printer, including the option to print and collate more than one copy (Fig. 4); and selecting at user's browser production options for processing said user's image data using said printer, including the option to collate (col. 3, lines 54-60).

Referring to claim 18, Woods et al. disclose a means of web based imaging, said means being interconnected with said user's browser and said destination service (network 12 of Fig. 1, col. 2, lines 50-56).

Referring to claim 19, Woods et al. disclose wherein said destination service is remote from said user's browser (col. 1, lines 51-55).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 10, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woods et al. U.S. Patent 6,453,127.

Referring to claims 4, 10, and 16, Woods et al. disclose a plurality of printers but do not disclose expressly said plurality of printers comprising at least two said printers having differing collating capabilities. Official Notice is taken that it would be well known and obvious in the art to have a printer that is not capable of collating a plurality of copies. It would have been obvious at the time the invention was made to utilize a plurality of printers including one printer capable of collating, and one printer unable to collate. The motivation for doing so would have been to take advantage of the different functions of each printer, such as high resolution color printer and a low resolution black

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and white printer. Further, the printers of Woods et al. are ordinary copiers/ printers and a non-collating printer is simply one of a generic type of printer.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PKH



**DAVID MOORE**  
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